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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/074,544 05/08/98 MEYER

G P2248-472

EXAMINER

021839 LMC1/0621  
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ART UNIT

PAPER NUMBER

2773

DATE MAILED:

06/21/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

# Office Action Summary

Application No.  
09/074,544

Applicant(s)  
Meyer et al

Examiner  
Huynh-Ba

Group Art Unit  
2773



- ☐ Responsive to communication(s) filed on \_\_\_\_\_
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle* 1835 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

- ☒ Claim(s) 1-56 \_\_\_\_\_ is/are pending in the application
- Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration
- ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- ☒ Claim(s) 1-56 \_\_\_\_\_ is/are rejected.
- ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- ☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

- ☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

- ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

- ☒ Notice of References Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_
- ☐ Interview Summary, PTO-413
- ☒ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

BA HUYNH  
PRIMARY EXAMINER

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 112*

1. Claims 2, 6-17, 29-40, 55-56 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2, 6, 29, are rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential elements, such omission amounting to a gap between the elements. See MPEP § 2172.01. The omitted element is: an “HTML meta-tag of a first type” as an antecedent for the claimed “HTML meta-tag of a second type” (lines 5-6).

Claims 12, 35, 52 are further rejected under 35 USC 112-2nd because the phrase “said formatted second table of contents” lacks clear antecedent basis.

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

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3. Claims 6-15, 29-38, 46-56 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,055,544 (DeRose et al).

- As for claims 6, 29, 46: DeRose teach a method/means for providing a dynamically generated table of contents of a computerized help system (col. 8, lines 15-18), comprising:
  - indexing a file using HTML meta-tag for a first level of files of a first types,
  - scanning the files for HTML meta-tag for adding data to a table of contents (col. 15, line 1 - col. 19, line 35; figure 5),

- dynamically generating a table of contents, using a template (figure 5), in response to the activation,

- and displaying the generated table of contents 162.

- As for claims 7, 30, 47: The file is a help file (col.8, lines 15-18).

- As for claims 8, 31, 48: The file can be a text file with creator designation (col. 15, lines 23-25).

- As for claims 9, 32, 49: The file includes a HTML meta-tag for a title (col. 15, lines 1-20; col. 17, lines 62-66; col. 19, lines 16-18).

- As for claims 10, 33, 50: The indexing includes indexing each chapter within a file (col. 18, lines 22-45).

- As for claims 11, 34, 51: The table of contents is formatted using an HTML template (col. 15, lines 1-20; col. 18, lines 22-34).

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- As for claims 12, 35, 52: It is implicitly included that the table of contents is provided upon user request.
- As for claims 13, 14, 36, 37, 53, 54: The HTML defines a link to location of a document in the system. The document can be a file or a web page.
- As for claims 15, 38: The determining of whether a table of contents is to be generated is implicitly included.
- As for claims 55, 56: Examples 1 and 2 are templates for generating the table of contents. The tables only can be generated if the templates exist.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-5, 16-28, 39-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over US patent #6,055,544 (DeRose et al), in view of US patent #5,848,410 (Walls et al).

- As for claims 1, 41: DeRose et al teach a method/means for displaying information to a user of a computer system, comprising:

activating a computerized information system (implicitly included),  
dynamically generating a table of contents in response to the activation,

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and displaying the generated table of contents 162 (figure 9).

DeRose et al fail to clearly teach that the table of contents is up-to-date. However, in an analogous art of generating of table of contents, Walls et al teach the displaying of up-to-date table of contents (col. 13, lines 17-45). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine Walls' teaching of displaying an updated table of contents to DeRose et al. Motivation of the combining is for updating the table of contents.

- As for claims 2, 20, 25, 42: A document folder is indexed using HTML meta-tags for files of a first type (title of the files), scanning the files for HTML meta-tags of a second type identifying chapters in the files (col. 15, line 1 - col. 19, line 35; figure 5).

- As for claims 3, 21, 26, 43: The file can be a text file with creator designation (col. 15, lines 23-25).

- As for claims 4, 22, 27, 44: The file includes a HTML meta-tag for a title (col. 15, lines 1-20; col. 17, lines 62-66; col. 19, lines 16-18).

- As for claims 5, 23, 28, 45: The file is a help file (col.8, lines 15-18).

- As for claims 16, 17, 39, 40: DeRose et al fail to clearly teach that the table of contents is up-to-date. However, in an analogous art of generating of table of contents, Walls et al teach the displaying of up-to-date table of contents (col. 13, lines 17-45). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine Walls' teaching of displaying an updated table of contents to DeRose et al. Motivation of the combining is for updating the table of contents. It is implicitly included in Walls' teaching of updating the table of

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contents that the system generates an updated table of contents base upon the determination of whether a table of contents already exist and/or up-to-date by comparing the generating date.

- As for claims 18, 19: DeRose teach a method/means for providing a dynamically generated table of contents of a computerized help system (col. 8, lines 15-18), comprising:

indexing a file using HTML meta-tag for a first level of files of a first types,

scanning the files for HTML meta-tag for adding data to a table of contents (col. 15, line 1

- col. 19, line 35; figure 5),

dynamically generating a table of contents, using a template (figure 5), in response to the activation,

and displaying the generated table of contents 162.

DeRose et al fail to clearly teach that the table of contents is up-to-date. However, in an analogous art of generating of table of contents, Walls et al teach the displaying of up-to-date table of contents (col. 13, lines 17-45). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine Walls' teaching of displaying an updated table of contents to DeRose et al. Motivation of the combining is for updating the table of contents. It is implicitly included in Walls' teaching of updating the table of contents that the system generates an updated table of contents base upon the determination of whether a table of contents already exist and/or up-to-date by comparing the generating date.

- As for claim 24: DeRose et al teach a method/means for displaying information to a user of a computer system, comprising:

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a viewer 162 for dynamically generating a list of book (figures 17, 18) in response to the user request,

and displaying the generated table of content 162 (figure 9).

DeRose et al fail to clearly teach that the list is up-to-date. However, in an analogous art of generating of table of contents, Walls et al teach the displaying of up-to-date table of contents (col. 13, lines 17-45). It would have been obvious to one of ordinary skill in the art, at the time the invention was made, to combine Walls' teaching of displaying an updated table of contents to DeRose et al's list of book. Motivation of the combining is for updating the list.

#### **Inquires**

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 308-9051 may be used for formal communications or (703) 308-6606 for informal or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huynh-Ba whose telephone number is (703) 305-9794. The examiner can normally be reached on Monday-Friday from 8.00AM to 4.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim, can be reached on (703) 305-3821.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the



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Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Huynh-Ba  
Primary Examiner  
Art Unit 2773  
2/12/99

  
BA HUYNH  
PRIMARY EXAMINER